

### **REMARKS**

Restriction is required to one of the following Groups:

- |                        |   |
|------------------------|---|
| Groups I to XIII:      | claim(s) 1-6 and 7-10, in so far as they are drawn to anyone of thirteen isolated polynucleotide sequences recited therein, vectors and host cells. For example, Invention of Group I consists of claims 1-6 and 7-1 only in so far as they encompass an isolated polynucleotide of SEQ ID NO: 1. Invention of Group XIII consists of claims 1-6 and 7-10 only in so far as they encompass an isolated polynucleotide of SEQ ID NO: 25. |
| Groups XIV to XXIX:    | claim(s) 6, in so far as they are drawn to any one of fifteen polypeptides recited therein.   |
| Groups XXX to XLV:     | claim(s) 11-14, in so far as they are drawn to antibodies specifically binding to any one of fifteen polypeptide sequences recited therein.   |
| Group XLVI:            | claim(s) 15, drawn to a composition.  |
| Groups XLVII to LXII:  | claim(s) 16-18, in so far as they are drawn to methods of diagnosis by detecting binding to any one of fifteen polypeptide sequences recited therein.   |
| Group LXIII:           | claim(s) 27, drawn to a composition comprising polypeptides.  |
| Group LXIV:            | claim(s) 28, drawn to a composition comprising antibodies.  |
| Groups LXV to LXXVIII: | claim(s) 29, in so far as they are drawn to methods of diagnosis by detecting binding to any one of thirteen nucleotide sequences recited therein.  |

### **Response to Restriction Requirement**

In response to the Restriction Requirement, Applicant elects group XVI, which corresponds to the portion of Claim 6 directed to an isolated polypeptide comprising an amino acid sequence selected from the group consisting of SEQ ID NO: 6, a sequence having at least 70% similarity after optimal alignment to an amino acid sequence provided in SEQ ID NO: 6, and a derivative, homolog, analog, chemical equivalent or mimetic of a sequence provided in SEQ ID NO: 6.

### **Traversal of Requirement**

Notwithstanding the foregoing election, the applicants traverse the requirement insofar as it requires restriction between Group XVI (e.g., an isolated polypeptide comprising an amino acid sequence of SEQ ID NO: 6) and Group XXII (e.g., antibodies specifically binding to an isolated polypeptide comprising an amino acid sequence of SEQ ID NO: 6). The Restriction Requirement is believed to be improper because, according to MPEP 803, there are two criteria for a proper Restriction Requirement: (A) The inventions must be independent or distinct as claimed, and (B) there would be a serious burden on the examiner if restriction is not required. Since Claims 11-14 are directed to antibodies that specifically bind the polypeptides of Claim 6, no significant, additional burden would be placed on the Examiner to examine these claims.

### **Request for Rejoinder**

Upon allowance of Group XVI, applicant respectfully request rejoinder of Group LXIII. Claim 27, the sole claim in Group LXIII is drawn to a composition comprising the polypeptide of Claim 6, and thus includes all of the limitations of elected claim 6.

### **No Disclaimers or Disavowals**

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

**Application No.:** 10/536,677  
**Filing Date:** June 5, 2006

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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